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PTO/SB/21 (04-07)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/826,157-Conf. #4012	
	Filing Date	April 4, 2001	
	First Named Inventor	John J. Hart, III	
	Art Unit	2137	
	Examiner Name	M. J. Pyzocha	
Total Number of Pages in This Submission	4	Attorney Docket Number	E0366.70005US00

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Non-compliant Appeal Brief; Return Receipt Post Card
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
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Date	May 29, 2007	Reg. No.	32,950

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 5/29/07

Signature:



Docket No.: E0366.70005US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John J. Hart, III et al.
Serial No.: 09/826,157
Confirmation No.: 4012
Filed: April 4, 2001
For: METHOD AND SYSTEM FOR DATA DELIVERY AND
REPRODUCTION
Examiner: M. J. Pyzocha
Art Unit: 2137

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Dated: 5/29/07

Trish McDonald
TRISH McDONALD

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed April 30, 2007, Applicants provide the enclosed addition to the Summary of the Claimed Subject Matter in accordance with M.P.E.P. 1205.03(B).

SUMMARY OF CLAIMED SUBJECT MATTER

A) Independent Claim 112

Claim 112 relates to a method of watermarking title data with identification data (page 30, lines 16-22; Fig. 6). The method includes identifying a plurality of placement locations based on characteristics of the title data (page 30, lines 22-28; Fig. 6, element 114). From these possible placement locations, a plurality of placement locations are selected (page 31, lines 28-29; Fig. 6, element 118). Number to frequency modulation relationships are also selected (page 31, lines 23-25; Fig. 6, element 122). The selected relationships are used for frequency modulating the title data at the selected placement locations (page 32, line 31-page 33 line 6; Fig. 6, element 126).

B) Independent Claim 133

Claim 133 relates to computer readable medium, such as a DVD (page 28, line 4, shown within delivery device 18 in Fig. 1). A computer readable medium contains title data that is watermarked with an identification code (page 30, line 22). A plurality of placement locations (page 30, line 29-30). Modulation schemes are selected, creating a random relationship between the identification code and modulation at each of the plurality of locations (page 31, lines 23-25; page 32, line 31-page 33, line 6). Each of the plurality of locations may be a random location within a group of available placement locations at which the watermark to title data has properties meeting at least one criterion (page 30, line 23-28).

C) Independent Claim 140

Independent claim 140 relates to a method of watermarking title data with identification data (page 30, lines 14-19, Fig. 6). The method includes identifying a plurality of locations in the title data based on properties of the title data (page 30, line 23-28; Fig. 6, element 114). From the identified locations, a subset of placement locations is randomly selected (page 31, lines 28-29; Fig. 6, element 120). For each placement location, a number to frequency modulation relationship is selected (page 31, lines 23-25; Fig. 6, element 122) from a plurality of number to frequency

modulation relationships (page 31, line 20-21). The selected number to frequency modulation relationship is used to modulate the title data (page 32, line 31-page 33, line 6).

Dated: May 27, 2007

Respectfully submitted,

By 

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